

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15372 of 2015

Arising Out of PS.Case No. -3 Year- 2015 Thana -JADIA District- SUPAUL

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1. Yoga Nand Yadav

2. Shiv Narayan Yadav

Both are sons of Late Mahabir Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh, Advocate

For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-04-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 333, 224, 225 and 504 of the Indian Penal Code.

It is alleged that petitioner no.2 Shiv Narayan Yadav apprehended by the police in connection with Jadia P.S. Case No.55 of 2011 but he got released by petitioner no.1 Yoga Nand Yadav and another family members.

It is submitted by learned counsel for the petitioners



that anticipatory bail application of petitioner no.2 was disposed of by the Apex Court vide Special Leave to Appeal (Crl.) No. 9233 of 2014 with a liberty to approach the High Court. In pursuance to the liberty granted by the Apex Court petitioner no.2 approached and was granted anticipatory bail by a co-ordinate bench of this Court vide Criminal Miscellaneous No.1985 of 2015 on 28.01.2015.

Considering the fact that the police claim to apprehend petitioner no.2 on 04.01.2015 prior to grant of anticipatory bail by a co-ordinate bench of this Court.

In view of the above, this Court is not inclined to grant anticipatory bail to petitioner no.2, Shiv Narayan Yadav.

Let the learned Court below consider the prayer for regular bail of petitioner no.2, if he surrenders within a period of six weeks.

With the above observation, this application is, accordingly, disposed off with respect to petitioner no.2 only.

So far as petitioner no.1 above named is concerned, in view of general and omnibus nature of accusation against him, let he be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of

₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Jadia P.S. Case No.3 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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